HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 561 of 2003 (SS)
Old No. 4168 of 1993

Smt. Pushpa Arora & others ……. Petitioners

Versus

Union of India & others ……. Respondents

Dated: 22.4.2004

Hon'ble Rajesh Tandon J.

Heard the learned counsel for the parties.

By the present writ petition the petitioners have prayed for the issue of a writ in the nature of mandamus directing the respondents to regularise the petitioners services as Teachers in Kendriya Vidhyalaya, New Tehri.

Briefly stated the facts giving rise to the present writ petition are that the petitioners after their induction in the service on the post of Teachers have been working at Kendriya Vidhyalay New Tehri on ad hoc basis. The petitioners have stated that they were duly selected by the selection committee and approved by respondent no.2.

The counsel for the respondents have filed the government order dated 17.12.1998 where the service matter relating to Kendriya Vidyalaya Sangthan are covered under the notification of Central Administrative Tribunal by the Ministry of Personnel.

Since the alternative remedy has been provided by filing the claim petition before the Central Administrative Tribunal, the writ petition is not maintainable.

In view of the aforesaid facts and circumstances writ petition is transferred to the Central Administrative Tribunal under the Central Administrative Tribunal Act 1985.

The Registry of the Court shall sent the record to the Central Administrative Tribunal, Allahabad for hearing of the matter.

The writ petition is dismissed on the ground of alternative remedy.

Sd/-

22.4.2004
Dhyani